

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Narva (Mandal) Erladinne (Village) - O.P.No.4/2005 - Sanction of decretal charges of **Rs.1,24,90,046/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 897

DATE:16.12.2008

Read:

From the Secy.to Spl.CS to Govt & CCLA, AP, Hyd Ref.No.SRP4/990/
2008, dt:29.09.08 along with the proposal of the Special Collector, LA
Bheema Project, Mahabubnagar District dt:06.08.2008.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.4/2005 pertaining to Erladinne (V) of Narva (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal had acquired an extent of land 14123.67 sq.mtrs in the limits of Erladinne (V) by fixing the market value @Rs.50/- per sq.mtr + Structure values of Engineering Authority through Award No.4/93, dt:23.01.93. The awardees have filed petitions u/s 18 (1) of the L.A.Act for adjudication. The Sr.Civil Judge, Gadwal in its orders dt:07.07.06 had delivered judgments by enhancing the market value from 1+1 structure value for houses. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad against the orders of the Lower Court. The High Court of A.P.has granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, an amount of Rs.1,05,47,133/- was sanctioned and deposited in the Sr.Civil Judge Court, Gadwal. Finally, the Hon'ble High Court has dismissed the appeals filed by the LAO/SDC, LA, PJP, Gadwal by confirming the judgments of Lower Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,24,90,046/- (Rupees One crore twenty four lakhs ninety thousand and forty six only)** in respect of O.P.No.4/2005 pertaining to Erladinne (Village) Narva (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount sanctioned in para (2) ante, shall be debitable to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (26) – Dams and Appurtenant works 530 Major works - 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP.14553/F2(2)/2008-1, dated 03.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar District.
The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.27042/LA-III(A2)/2008.
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER